



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,964	08/18/2006	Volkmar Klein	-51783	1056
1609 7590 11/20/2007 ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P. 1300 19TH STREET, N.W. SUITE 600 WASHINGTON,, DC 20036			EXAMINER GONZALEZ, MADELINE	
			ART UNIT 1797	PAPER NUMBER
			MAIL DATE 11/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,964	Applicant(s) KLEIN ET AL.	
	Examiner Madeline Gonzalez	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki et al. (U.S. 5,607,582) [hereinafter Yamazaki].

With respect to **claim 1**, Yamazaki discloses a filter system 10, as shown in Fig. 1, having:

- at least one filter element 76 which can be held in a filter housing 16 which can be connected to carry fluid by way of fluid connections 90, 92, to a fluid means 12, by means of a connecting device 14, as shown in Fig. 1;
- wherein the connecting device 14 is provided with at least one longitudinally displaceable blocking part 106, which blocks the respective fluid connection 90, 92, which can be assigned to it in the blocking position, and after displacement into the open position, clears it, as shown in Figs. 4 and 5.

With respect to **claim 2**, Yamazaki discloses wherein the blocking part 106 is made as a plate-shaped sliding valve part which is guided sealed between two

connecting plates 108, 110 of the connecting device 14 by means of a sealing device 130, 124, 152, 154, as shown in Fig. 3, of which one plate 108 is facing the filter housing 16 and the other plate 110 is facing the fluid means 12, as shown in Fig. 4.

With respect to **claim 3**, Yamazaki discloses wherein the fluid connections 90, 92, are formed at least partially from a fluid inlet 90 and a fluid outlet 92 in the filter housing 16, and wherein the connecting plates 108, 110, are provided with fluid passages 132, 134, 148, 150, which correspond thereto as part of the fluid connections 90, 92, which in the blocking position of the blocking part 106 are covered by wall parts 126 of the latter and are cleared in the open position, as shown in Figs. 4 and 5.

With respect to **claim 4**, Yamazaki discloses wherein the two connecting sites of the filter housing 16 as a component of the fluid connections 90, 92, in the longitudinal direction thereof are located on top of each other, like the fluid passages 132, 134, 148, 150, in the connecting plates 108, 110, of the connecting device 14, and wherein between the blocking wall parts 126 of the blocking part 106, the latter has clearance openings which in the open position of the blocking part 106 are congruent with the fluid passages 132, 134, 148, 150 of the connecting device 14 so as to carry fluid, as shown in Fig. 5.

With respect to **claim 5**, Yamazaki discloses wherein the parts of the fluid passages 90, 92, which can be assigned to the filter housing 16, are each provided with one valve 108, 110, as shown in Fig. 4.

With respect to **claim 6**, Yamazaki discloses wherein the valve disk 150 of one valve 110 which is located on the fluid outlet 92 of the filter housing 16 projects to the outside over said housing 16 and the valve disk 132 of the other valve 108 which is located on the fluid inlet 90 of the filter housing 16 is integrated into said housing 16, as shown in Fig. 5.

With respect to **claim 7**, Yamazaki discloses wherein the fluid connections 90, 92, which can be assigned to the filter housing 16 are encompassed on the outer peripheral side by an attachment part 156 which is used to attach the filter housing 16 to the assignable flange parts 158 on the connecting plate 108 which faces said housing 16 and which encompasses the respective fluid passages 132, 134, as shown in Fig. 4.

With respect to **claim 8**, Yamazaki discloses wherein at least one locking part 156, preferably in the form of a locking pin 156 located on the attachment part penetrates the assignable flange part 158 and engages a recess in the blocking part 106 as soon as it assumes its open position, as shown in Fig. 5.

With respect to **claim 9**, Yamazaki discloses wherein the housing 16 is provided with a handle 80, and the blocking part 106 is provided with openings 148, 150, 132, 134, which can be used as handles, as shown in Fig. 4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki (U.S. 5,607,582) in view of Muzik et al. (U.S. 6,579,455) [hereinafter Muzik].

Claim 10 adds the further limitation of wherein the filter housing consists of cast aluminum and the blocking part consists of a steel or plastic material.

Yamazaki **lacks** the specific materials of the housing and the blocking part.

Muzik discloses a filter 10, as shown in Fig. 1, having a housing composed of elements 12, 14, 16, made of any suitable material, such as aluminum (see col. 5, lines 54-67 and col. 6, lines 1-5). Muzik teaches that aluminum is a preferred material for its low weight and strength (see col. 8, lines 66-67 and col. 9, lines 1-2). Muzik also discloses a valve 44, as shown in Fig. 9, which can be made of steel or plastic (see col. 9, lines 2-9). It would have been obvious to a person having ordinary skill in the art at

the time the invention was made to make the housing and blocking part disclosed by Yamazaki of aluminum and steel or plastic, respectively, as taught by Muzik, since Muzik teaches that those are suitable materials known in the art (see col. 9, lines 1-11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeline Gonzalez whose telephone number is 571-272-5502. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/589,964
Art Unit: 1797

Page 7

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Madeline Gonzalez
Patent Examiner
November 17, 2007

A handwritten signature in black ink, appearing to read 'Krishnan Menon', with a stylized, cursive script.

KRISHNAN MENON
PRIMARY EXAMINER